IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 3702 OF 2007

Rathi Harinarayan Mohanlal ...Petitioner
V/s.
Multi Purpose Adarsh New English and Higher Secondary School, Gaudgaon & Ors. ...Respondents

Mr.I.M. Khairdi for the Petitioner.

CORAM : D.K. DESHMUKH &
V.M. KANADE, JJ.

DATED : NOVEMBER 21, 2007

P.C. :-

. By this petition, the petitioner is challenging the order passed by the Education Board declining to approve the appointment of the petitioner as Shikshan Sevak on the ground that there is a backlog of 3 ST and 2 OBC candidates. The management issued an advertisement advertising two posts as Shikshan Sevak. Both the posts were reserved, one for ST and the other for OBC. The petitioner admittedly, was appointed as Shikshan Sevak against the reserved post but surprisingly, his appointment was made on probation. If the appointment of the petitioner was against the reserved vacancy and the petitioner was appointed

because candidate belonging to the reserved categories was not available, he could have been appointed on temporary basis and not on probation. Order of appointment of the petitioner on probation was obviously wrong. Therefore, the Education Officer has declined to approve the appointment made by the order. We see no reason to interfere with the order of the Education Officer.

. Writ petition is dismissed.

(D.K. DESHMUKH, J.)

(V.M. KANADE, J.)